

UNITED STATES DISTRICT COURT

DISTRICT OF WYOMING

UNITED STATES OF AMERICA

V.

CHRISTOPHER LEE SWARTWOOD

CRIMINAL COMPLAINT

CASE NUMBER: ~~12MJ111SWS~~

12MJ111SWS

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief.


On or about June 12, 2012, in the District of Wyoming, the Defendant, **CHRISTOPHER LEE SWARTWOOD**, having previously been convicted of a crime punishable by imprisonment for a term exceeding one year, knowingly possessed a firearm, that is, a .22 caliber Marlin rifle, which had previously traveled in and affected interstate commerce.

In violation of Title 18 U.S.C. §§ 922(g)(1) and 924(a)(2).

I further state that I am a special agent with the Federal Bureau of Alcohol, Tobacco, Firearms, and Explosives, and that this complaint is based on the following facts:

SEE ATTACHED AFFIDAVIT

Continued on the attached sheet and made a part hereof: **XX** Yes No


Signature of Complainant
SA John Powley

Sworn to before me and subscribed in my presence,

June 13, 2012

at

Lander, Wyoming

Date

City and State

Teresa McKee
United States Magistrate

Name & Title of Judicial Officer


Signature of Judicial Officer

1. I, John E. Powley, being first duly sworn, on oath depose and state that I am a federal law enforcement officer and a special agent with the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF), United States Department of Justice. I am currently assigned to the State of Wyoming and have been employed by ATF since August 22, 2004. Prior to that, I was employed as a mechanical engineer in private industry for approximately ten years.
2. This Affidavit is made in support of an application for criminal complaint and is based upon information your Affiant has gained through training and experience, as well as upon information related to your Affiant by other individuals, including law enforcement officers. Since this Affidavit is being submitted for the limited purpose of securing a criminal complaint, your Affiant has not included each and every fact known concerning this investigation but has set forth only the facts your Affiant believes are necessary to establish probable cause to believe that evidence relating to a violation of Title 18, United States Code §922(g)(1).
3. Based upon training and experience, your Affiant knows that Title 18, United States Code, §922(g)(1) makes it unlawful for any person who is convicted of a crime punishable by imprisonment for more than one year to possess any firearm or ammunition, which has been shipped or transported in interstate or foreign commerce.
4. On June 5, 2012, your Affiant interviewed an individual who had known Christopher Lee SWARTWOOD for approximately one year, and had seen SWARTWOOD with firearms on three separate occasions. This individual stated that on two separate occasions in approximately March and April 2012, he/she went to SWARTWOOD's home in Cody, Wyoming and saw multiple firearms, and SWARTWOOD claimed ownership of the firearms. This individual also described how on another occasion in March or April of 2012, SWARTWOOD was carrying a firearm on his person.
5. On June 7, 2012, your affiant learned from Division of Criminal Investigation ("DCI") Special Agent Darrell Steward that on June 5, 2012, another individual, who had known

SWARTWOOD since February 2012, saw SWARTWOOD camping at a reservoir near Cody, Wyoming, at which time SWARTWOOD had firearms inside his camper.

6. Subsequently, on June 8, 2012, your Affiant obtained a federal search warrant for SWARTWOOD's residence at 88 Bartlett Lane, Cody, Wyoming.
7. On June 12, 2012, ATF agents of the Lander Satellite Office and Cheyenne Field Office, with the assistance of officers from the Park County Sheriff's Office and Wyoming DCI executed a federal search warrant issued by the United States District Court of Wyoming for the residence of Christopher Lee SWARTWOOD located at 88 Bartlett Lane, Cody, Wyoming. During the search, ATF Special Agent John Powley recovered and seized a .22 caliber Marlin rifle, Model 981T, serial number 93664787.
8. On June 12, 2012, ATF Special Agent John Powley interviewed Christopher SWARTWOOD. SWARTWOOD was identified through his Missouri driver's license. SA Powley reviewed SWARTWOOD's criminal history with SWARTWOOD. SWARTWOOD admitted that he was a convicted felon and could not possess firearms. SWARTWOOD admitted to having been convicted of felonies in the state of Iowa and the state of Wyoming.
9. Additionally, ATF Special Agent John Powley obtained Christopher Lee SWARTWOODS's felony conviction documents from the District Court of Park County of the state of Wyoming. The documents stated that on February 8th of 2005, SWARTWOOD was convicted of Aggravated Assault, a felony, and sentenced to the Wyoming State Penitentiary for a term of no less than two years, nor more than five years.
10. During the course of this investigation your Affiant determined SWARTWOOD is known to reside at 88 Bartlett Lane by local law enforcement, which has responded to several calls for service to the residence. Your Affiant also learned SWARTWOOD lists 88 Bartlett Lane as his residence on his vehicle registration papers.

11. On June 12, 2012, ATF Special Agent Jay Johnson, a Firearm Nexus Expert, examined the Marlin, Model 981T, .22 rifle, serial number 93664787 rifle seized from SWARTWOOD's residence, and determined the firearm was not manufactured in the state of Wyoming.
12. Based on the foregoing facts, your Affiant believes a violation of 18 U.S.C. § 922(g)(1) has been committed by Christopher Lee SWARTWOOD.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge.

-End of Affidavit-